BEFORE THE STATE FIRE PREVENTION COMMISSION OF THE STATE OF DELAWARE

IN RE: RICHARD ROBINSON   )

)   Case No.: 1512

EMT I.D. NO. 183536   )

CONSENT AGREEMENT

A written Complaint has been filed with the Delaware State Fire Prevention Commission ("Commission") alleging that Richard Robinson ("Respondent"), an emergency medical technician in the State of Delaware has engaged in conduct which constitutes grounds for discipline under 16 *Del. C.* Ch. 67 and the Delaware State Fire Prevention Regulations.

Respondent and the State enter into this Consent Agreement and submit it to the Commission for review and approval as a means of resolving the pending administrative prosecution against Respondent pursuant to 16 *Del. C.* Ch. 67 and 29 *Del. C.* Ch. 101.

IT IS UNDERSTOOD AND AGREED THAT:

1. Respondent is a resident of New Castle, Delaware, and is certified as an emergency medical technician ("EMT") in Delaware pursuant to the provisions of 16 *Del. C.* ch. 67.

2. At all times relevant to this complaint, Respondent was employed by the Wilmington Manor Fire Company ("Wilmington Manor") and working as an EMT.

3. On or about May 31, 2015, in his capacity as an EMT, Respondent was dispatched to Pulaski Highway in New Castle for a vehicle accident.

4. While on scene, Respondent made contact with Joseph Gayder ("Gayder") and his minor son, C.G., both of whom were passengers in one of the cars involved in the

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accident.

5. C.G. is a pre-verbal infant.

6. Both Gayder and C.G. were transported by Wilmington Manor to Christiana Care Hospital. During transportation, Respondent was the Primary Patient Caregiver. Respondent did not perform any assessment or evaluation on C.G. that would have conformed to the Statewide Basic Life Support Protocols ("the Protocols") either at the scene or en route to the hospital.

7. Once the ambulance arrived at the hospital, C.G. was examined and noted to have bruising on his abdomen/chest area and his status was upgraded to a trauma alert. C.G. was kept overnight in the hospital for observation and was released the next day. C.G. did not have any life-threatening injuries.

8. Respondent has violated Part 710, Section 14.4.1.4 of the Delaware State Fire Prevention Regulations in that he violated the Protocols regarding general patient care of a pediatric patient.

9. Respondent has violated Part 710, Section 14.4.1.6 of the Delaware State Fire Prevention Regulations in that he has engaged in unprofessional conduct.

10. Respondent hereby admits that the allegations set forth in paragraphs 1 through 9 above are true and correct.

11. Respondent completed the EMT refresher course, which involved a review of the Protocols on February 21, 2016.

12. Respondent and the State agree that the appropriate disciplinary sanctions shall be a Letter of Reprimand.

13. The parties to this Consent Agreement are the State of Delaware and

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Respondent.

14. The parties agree and acknowledge that nothing contained in this Consent Agreement shall affect any rights or interests of any person not a party to this Agreement.

15. Respondent acknowledges that he is waiving his rights under the State Fire Prevention Regulations and 29 *Del. C.* Ch. 101 to a hearing before the Commission prior to the imposition of disciplinary sanctions.

16. Respondent acknowledges that he has carefully read and understands this Consent Agreement, and is entering into this Consent Agreement freely, knowingly, voluntarily, and after having received or having been afforded the opportunity to receive the advice of counsel.

17. Respondent acknowledges that this Consent Agreement is a public record within the meaning of 29 *Del. C.* § 10002 and will be available for public inspection and copying as provided for by 29 *Del. C.* § 10003.

18. The parties acknowledge and agree that this Consent Agreement is subject to approval by the Commission.

19. The parties acknowledge and agree that if the Commission does not accept this Consent Agreement, it shall have no force or effect, except as follows:
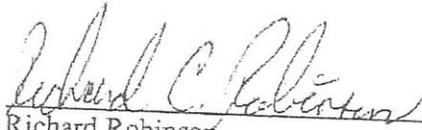
a. Neither Respondent, nor anyone on his behalf, will in any way or in any forum challenge the ability of the Commission or any of its members to conduct an evidentiary hearing relating to the allegations in the subject Complaint;

b. The Consent Agreement, or conduct or statements made in negotiating the Consent Agreement, will be inadmissible at any administrative, civil or criminal legal proceeding; and
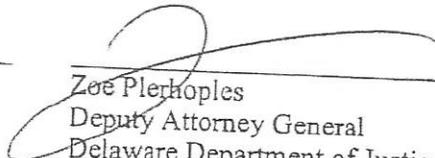
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c. No provision contained in the Agreement shall constitute or have the effect of an admission by the Respondent as to any fact alleged in the Complaint in this matter or in this Agreement.

20. If the Commission accepts the Consent Agreement and enters it as an Order, the Consent Agreement shall be admissible as evidence at any future proceedings before the Commission.

21. The parties acknowledge and agree that this Consent Agreement, along with any exhibits, addendums, or amendments hereto, encompasses the entire agreement of the parties and supersedes all previous understandings and agreements between the parties, whether oral or written. There are no other terms, obligations, covenants, representations, statements or conditions, or otherwise, of any kind whatsoever concerning this agreement.

22. This Consent Agreement shall be effective upon acceptance by the Commission and entry of the Commission's Order.

Richard Robinson
Respondent

Dated: 5/8/2016

Zoe Plerhoples
Deputy Attorney General
Delaware Department of Justice

Dated: 6/1/16

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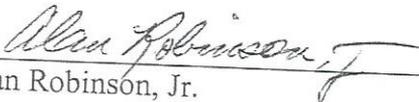EMT I.D. NO. 183536

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ORDER

WHEREAS, the Delaware State Fire Prevention Commission has reviewed this matter and hereby approves the Consent Agreement of the parties, and enters it now as an Order of the Delaware State Fire Prevention Commission;

IT IS SO ORDERED this 21st day of June, 2016.

David J. Roberts
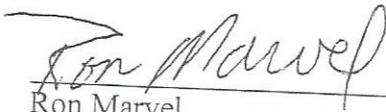Chairman

Alan Robinson, Jr.
Vice Chairman

Tom Dicristofaro

Lynn Truitt

Marvin Sharp

Ron Marvel

Anthony Guzzo